

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 ***

4 ON DEMAND DIRECT RESPONSE, LLC AND
5 ON DEMAND DIRECT RESPONSE III, LLC,

6 Plaintiff,

7 vs.

8 SHANA LEE MCCART-POLLACK D/B/A LOL
9 BUDDIES ENTERPRISES,

10 Defendant.

2:15-cv-01576-MMD-VCF

ORDER

11 Before the court are Holley Driggs Walch Fine Wray Puzey & Thompson and Cantor Colburn
12 LLP's Motions to Withdraw as Counsel for Plaintiffs (#s 81 and 84).

13 Michael J. Rye, Thomas J. Mango, Nicholas A. Geiger, Tasia E. Hansen, Andrew C. Ryan and
14 local counsel, Brian W. Boschee and James D. Boyle seek to withdraw as counsel of record for Plaintiffs.

Discussion

15 This action commenced on August 17, 2015(#1), and no trial date has been set. Discovery cut-off
16 is July 13, 2016. (#88). No dispositive motions are pending. Local Rule IA 10-6 provides that “no
17 withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result.”
18 No opposition has been filed to the Motion to Withdraw As Counsel for Plaintiffs. Local Rule 7-2(d)
19 states that “[t]he failure of an opposing party to file points and authorities in response to any motion shall
20 constitute a consent to the granting of the motion.” Here, it would seem that the other parties have
21 consented to the granting of the motions.
22

23 The Court recognizes the financial burden placed upon Plaintiffs' counsel in light of Plaintiffs' lack
24 of payment. 28 U.S.C. § 1654 provides that “[i]n all courts of the United States the parties may plead and
25 conduct their own cases personally.” *See C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th

1 Cir. 1987). Although individuals may represent themselves pursuant to this statute, a corporation is not
2 permitted to appear in Federal Court unless it is represented by counsel. *U.S. v. High Country*
3 *Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). An individual also does not have the right to
4 appear on behalf of anyone other than himself. *Pope*, 818 F.2d at 697. The Ninth Circuit has permitted
5 motions to strike and motions to dismiss pleadings filed by *pro se* parties on behalf of entities including
6 trusts. *Id.* at 698; *United States v. Nagy*, C11-5066BHS, 2011 WL 3502488 (W.D. Wash. Aug. 10, 2011).
7 The Court thus advises Plaintiffs that they may not proceed *pro se*, because limited liability companies
8 must be represented by counsel.

9 Accordingly, and for Good Cause Shown,

10 IT IS HEREBY ORDERED that the Motions to Withdraw as Counsel for Plaintiffs (#'s 81 and 84)
11 are GRANTED.

12 IT IS FURTHER ORDERED that Plaintiffs On Demand Direct Response, LLC and On Demand
13 Direct Response III, LLC must retain counsel by March 7, 2016.

14 The Clerk of Court is directed to serve a copy of this Order to Plaintiffs at the following address:

15 On Demand Direct Response, LLC
16 On Demand Direct Response, III, LLC
17 14958 Ventura Boulevard, Suite 104
18 Sherman Oaks, California 91403

19 DATED this 5th day of February, 2016.

20
21
22 

23 CAM FERENBACH
24 UNITED STATES MAGISTRATE JUDGE
25